

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,	)	DOCKET NO. 3:13-cr-00204-MOC
	)	
<i>Plaintiff,</i>	)	CRIMINAL NO. 405-59
	)	
v.	)	
	)	
BOGGS PAVING, INC., <i>et al.</i> ,	)	<b>DEFENDANTS' MOTION FOR LEAVE</b>
	)	<b>TO FILE OVERLONG PLEADINGS</b>
<i>Defendants.</i>	)	
	)	

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The Defendants have filed two motions today that exceed the 25-page limit imposed upon pre-trial motions. They are (1) *Defendants' Joint Motion To Dismiss The Superseding Indictment For Failure To State Offenses* [DE 101] and (2) *Defendants' Joint Motion to Dismiss, Strike, and/or Exclude Evidence and Incorporated Memorandum of Law* [DE 103].

These motions are filed on behalf of a number of Defendants, and consolidate federal and state law arguments that address the interplay between the wire and mail fraud statutes, the South Carolina and the North Carolina administrative laws, various state regulations, state laws, and the Code of Federal Regulations. The motions also address federal theories on entrapment by estoppel and legal uncertainty. Given the complexity of these issues, Defendants Boggs Paving, Styx Cuthbertson Trucking Company, Drew Boggs, Greg Miller, and John "Styx" Cuthbertson respectfully request that the Court permit the overlong filings.

We have reached out to the government to get their position on this motion, but as of this filing, we have not received a response.

Because pretrial motions are due today, we are filing this motion so that the Court is aware that the pleadings are overlong and that we are seeking leave to file them as such.

Respectfully submitted,

/s/ Roy Black

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was electronically filed via CM/ECF, this 14th day of July,  
2014.

/s/Roy Black  
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